

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 22, 2005
Tuesday, 9:42 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Lambke, Martz, Schlapp; present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

The Minutes of the March 8, 2005 meeting were approved 7 to 0.

CONSENT AGENDA

Council Member Fearey Council Member Fearey requested that item 21 be pulled.

Mayor Mayans Mayor Mayans requested that item 23 be pulled.

Motion-- Mayans moved that the Consent Agenda be approved as consensus Items except for items 21 and 23.
--carried Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MARCH 21, 2005.

Motion-- Mayans moved that the report be received and filed; the Contracts approved and the necessary
--carried signatures authorized. Motion carried 7 to 0.

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal	2005	(Consumption on Premises)
Kimberly A. Gibson	Braeburn Golf Course at @WSU*	4201 East 21st Street
Juan A.Casteneda	Angela's Café*	10901 E. Kellogg
Renewal	2005	(Consumption off Premises)
Hussfin M. Haeri	Diamond Shamrock	351 South Meridian
New Operator	2005	(Consumption off Premises)
Diana Wilson	Tri-Bee's Express	7115 West 13th Street North
M. Sharik Naeem	Shawn Enterprises	802 North West Street
M. Sharik Naeem	Shawn Enterprises	1622 South West Street
Diana Wilson	Tri-Bee's Express	7115 West 13th Street North

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion-- Mayans moved that the licenses subject to Staff review and approval be approved. Motion
--carried carried 7 to 0.

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DEEDS/EASEMENTS DEEDS AND EASEMENTS:

- a) Easement dated January 17, 2005 from Wichita Place II, LLC located over a portion of Lot 6, Block A, Replat of Part of Kinkaid Park, a part of the NW 1/4, Section 4, T28S, R1E to Wichita, Sedgwick County, Kansas (OCA# 607861) No Cost to City
- b) Utility Easement dated December 31, 2004 from George E. Laham, II, located over a portion of Lot 3, Block 1, Wilson Estates Medical Park 2nd, an Addition to Wichita, Sedgwick County, Kansas, (OCA #607861) No Cost to City
- c) Drainage easement dated February 17, 2005 from Robert E. Cook and Deborah K. Cook over a portion of Lot 5, Block 1, Barefoot Bay 2nd Addition to Wichita, Sedgwick County, Kansas (OCA 706914) No Cost to City
- d) Drainage easement dated February 8, 2005 from Edward Cusick and Janice Cusick over a portion of Lot 2, Block 1, Barefoot Bay 2nd Addition to Wichita, Sedgwick County, Kansas (OCA 706914) No Cost to City
- e) Sanitary Sewer Easement dated February 9, 2005 from 10001 E. Kellogg, LLC located over a portion a tract of land in the Northwest Quarter of Section 28, Township 27 South, Range 2 East of the Sixth Principal Meridian described as: Commencing 81.9 Feet South and 440 Feet East of the Northwest corner of the East half of said Northwest Quarter; thence south 520 feet; thence West 420 Feet to the Point of Beginning. (OCA 624078) No Cost to City
- f) Drainage & Utility Easement dated February 2, 2005 from Blue Lake, LLC, a Kansas Limited Liability Company, located over a portion of Lots 115 and 116, Block A, Blue Lake Addition, Wichita, Sedgwick County, Kansas together with a portion of Lots 12 and 13, Block D, Blue Lake Addition, Wichita, Sedgwick County, Kansas (OCA# 767905) No Cost to City

Motion--carried Mayans moved that the documents be accepted. Motion carried 7 to 0.

WATERFRONT ADD. PETITIONS FOR SANITARY SEWER, DRAINAGE AND WATER DISTRIBUTION SYSTEM IMPROVEMENTS TO SERVE THE WATERFRONT ADDITION, NORTH OF 13TH STREET, EAST OF WEBB ROAD. (DISTRICT II)

Agenda Report No. 05-0223

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide sanitary sewer, drainage improvements and water service to a new commercial development located north of 13th, east of Webb.

The Petitions total \$426,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion--carried Mayans moved that the Petitions be approved and the Resolutions be adopted.. Motion carried 7 to 0.

RESOLUTION NO. 05-128

Resolution of findings of advisability and Resolution authorizing construction of LATERAL 50, MAIN 24, WAR INDUSTRIES SEWER, (North of 13th, East of Webb) 468-83949, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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RESOLUTION NO. 05-129

Resolution of findings of advisability and Resolution authorizing improving STORM WATER DRAIN NO. 250, (North of 13th, East of Webb) 468-83950, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-130

Resolution of findings of advisability and Resolution authorizing improving STORM WATER SEWER NO. 612, (North of 13th, East of Webb) 468-83951, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-131

Resolution of findings of advisability and Resolution authorizing improving STORM WATER SEWER NO. 613, (North of 13th East of Webb) 468-83952, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-132

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90037, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

BLUE LAKE ADD.

PAVE STREETS IN BLUE LAKE ADDITION, WEST OF WEST STREET, NORTH OF MACARTHUR. (DISTRICT IV)

Agenda Report No. 05-0224

On September 14, 2004, the City Council approved a Petition to pave streets in Blue Lake Addition. An attempt to award a contract within the budget set by the Petition was not successful. The developer has submitted a new Petition with an increased budget. The signature on the new Petition represents 100% of the improvement district.

The project will serve a new residential development located west of West Street, north of MacArthur.

The existing Petition totals \$744,000. The new Petition totals \$965,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

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RESOLUTION NO. 05-133

Resolution of findings of advisability and Resolution authorizing improving BLUE LAKE, 31ST STREET SOUTH, AND BOLIN DRIVE FROM THE SOUTH LINE OF LOT 15, BLOCK D, NORTH, EAST AND SOUTH TO SABIN, AND ON SABIN FROM THE SOUTHWEST LINE OF BOLIN DRIVE, SOUTH TO THE NORTH LINE OF LOT 61, BLOCK D. BLUE LAKE COURT (LOTS 84 THROUGH 100, BLOCK A) FROM THE WEST LINE OF BLUELAKE, WEST TO AND INCLUDING THE CUL-DE-SAC, ON BLUE LAKE COURT (LOTS 101 THROUGH 117, BLOCK A), FROM THE WEST LINE OF BLUELAKE, WEST TO AND INCLUDING THE CUL-DE-SAC, AND ON SABIN COURT FROM THE WEST LINE OF SABIN, WEST TO AND INCLUDING THE CUL-DE-SAC AND SOUTH TO AND INCLUDING THE CUL-DE-SAC. SIDEWALK BE CONSTRUCTED ALONG ONE SIDE OF BLUELAKE, 31ST STREET SOUTH, BOLIN DRIVE AND SABIN, (WEST OF WEST STREET, NORTH OF MACARTHUR) 472-84074, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

GODDARD SCHOOL CONSTRUCT A WATER DISTRIBUTION SYSTEM FOR A NEW GODDARD SCHOOL BUILDING LOCATED NORTH OF KELLOGG, EAST OF 167TH STREET EAST. (DISTRICT V)

Agenda Report No. 05-0225

The Petition has been signed by one owner, representing 100% of the improvement district.

The project will provide water service to a new Goddard school building located north of Kellogg, east of 167th Street East.

The Petition totals \$497,300, with \$199,000 paid by special assessments and \$298,300 paid by the Water Utility. The utility share is for the cost of over sizing the pipeline to serve future development outside the improvement district.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 05-134

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90060 (North of Kellogg, East of 167th Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

WOODLAND HGTS. SANITARY SEWER AND WATER DISTRIBUTION SYSTEM IMPROVEMENTS TO SERVE LOT 1, WOODLAND HEIGHTS SECOND ADDITION, NORTH OF 2ND STREET, EAST OF RIDGE. (DISTRICT V)

Agenda Report No. 05-0226

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide sanitary sewer and water service to an undeveloped commercial lot located north of 2nd, east of Ridge.

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The Petitions total \$115,616. The funding source is special assessments except for the water Petition which, includes \$41,000 paid by the water utility for over sizing the pipeline to serve future development outside the improvement district.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 05-135

Resolution of findings of advisability and Resolution authorizing construction of LATERAL 507, SOUTHWEST INTERCEPTOR SEWER (North of 2nd, East of Ridge) 468-83972, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-136

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90059 (North of 2nd East of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

HIGHLAND SPGS.

CONSTRUCT A STORM WATER DRAIN IN HIGHLAND SPRINGS THIRD ADDITION, WEST OF 135TH STREET WEST, SOUTH OF CENTRAL. (DISTRICT V)

Agenda Report No. 05-0227

On January 4, 2005, the City Council approved a Petition to pave streets in Blue Lake Addition. An attempt to award a contract within the budget set by the Petition was not successful. The developer has submitted a new Petition with an increased budget. The signature on the new Petition represents 100% of the improvement district.

The project will serve a new residential development located west of 135th St. West, south of Central.

The existing Petition totals \$195,000. The new Petition totals \$240,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted.. Motion carried 7 to 0.

RESOLUTION NO. 05-164

Resolution of findings of advisability and Resolution authorizing construction of STORM WATER DRAIN NO. 205 (West of 135th Street West, South of Central) 468-83637, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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ADVISORY BOARD MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Board of Electrical Appeals, November 9, 2004
Wichita Public Library Annual Report 2004
Wichita Public Library, January 2005
District VI Advisory Board, January 3, 2005
Board of Code Standards and Appeals, January 10, 2005
Housing Advisory Board, January 11, 2005
District VI Advisory Board, January 19, 2005
District III Advisory Board, February 2, 2005
District VI Advisory Board, February 7, 2005
District II Advisory Board, February 7, 2005

Motion--carried Mayans moved that the file be received. Motion carried 7 to 0.

STREET CLOSURES CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures to consider.

CERT. OF CANVASS CERTIFICATE OF CANVASS.

Certificate of Canvass of the votes cast in the Primary Election on March 1, 2005, determining that the following candidates were duly nominated for the General Election to be conducted on April 5, 2005.

Council Member, District I

Carl Brewer Inga Taylor

Council Member, District III

Jim Skelton Matt Goolsby

Council Member, District VI

Sharon Fearey Richard Lopez

Motion--carried Mayans moved that the report be received and file. Motion carried 7 to 0.

AGREEMENTS/CONTRACTS:

SBC EASEMENT SBC EASEMENT, 29TH STREET NORTH, WEST OF MAIZE ROAD. (DISTRICT V)

Agenda Report No. 05-0228

On March 8, 2005, the City Council approved a project to improve 29th Street North, from 119th Street West to Maize. A portion of the necessary work includes relocation of an SBC easement and facilities presently located in a private easement at 10434 West 29th Street North. The facilities will be relocated to a new easement south of 29th Street North and east of Maize Road.

Costs to relocate SBC's remote terminal are \$23,908.66. An Agreement has been prepared to authorize these expenditures.

Funds are available in the project to provide for utility relocation costs. The funding source is GO bonds.

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The Law Department has approved the Agreement as to form.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

WATER COALITION SOUTH CENTRAL KANSAS WATER COALITION.

Agenda Report No. 05-0229

On February 1, 2005, City Council approved the Interlocal Agreement to participate in the Regional Economic Area Partnership (REAP) South Central Kansas Water Coalition, and the Agreement was forwarded to REAP for signatures. REAP discovered that their Agreement was minus a section and returned the Agreement to the City for new signatures. Law reviewed the second Agreement with the minor changes in contractual obligations and recommended that it be returned to City Council for approval.

January 2004, the REAP executive committee invited member jurisdictions to participate in discussions to develop and recommend a strategy for joint action among local governments to address regional water issues. At the October 11, 2004, meeting, the REAP membership voted to approve the formation of the South Central Kansas Water Coalition. Among the objectives of the Coalition are:

- To serve as a regional conduit for the dissemination of information regarding activities, programs, funding and initiatives related to water in the region.
- To serve as a regional voice on behalf of members to state and federal government and agencies.
- To develop and implement a regional water plan.
- To organize and coordinate collaborative efforts on regional issues of water supply and quality.
- To develop or organize services to member water utility operations.

The City of Wichita participated in the discussions leading up to the formation of the Coalition by REAP. The Mayor, the Water & Sewer Department Director and the Environmental Health Director have been parties to those discussions. Staff believes that water issues extend beyond the city limits. There is value in local governments sharing information and experiences and in jointly speaking to water related issues before state and federal government agencies.

The Coalition will be governed by a Board of Delegates appointed from governing bodies of member local governments. The Board of Delegates will approve the budget and the work plan for the Coalition. A Board of Directors will be appointed from the professional/administrative staff of member entities. The Board of Directors will prepare and recommend an annual budget and work plan, carry out approved work, and oversee the day-to-day operations and activities of the Coalition. Each delegate and director will also have an alternate appointed by the member entity's governing body.

The interlocal agreement calls for Wichita to initially pay \$2,500 as a charter member. This funding level may change up or down, depending on the work plan that the Coalition Board of Delegates adopts. The City's water utility has sufficient budget authority to cover this initial cost. Other member local government entities will contribute based on their population and/or utility revenues.

The Law Department has approved the Agreement as to form.

Motion--
--carried

Mayans moved that the revised Interlocal Agreement with the Regional Economic Area Partnership be approved. Motion carried 7 to 0.

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FAIRMONT ADD.

STAKING AND CONSTRUCTION ENGINEERING IN THE FAIRMONT THIRD ADDITION, WEST OF 127TH STREET EAST, NORTH OF 21ST STREET. (DISTRICT V)-SUPPLEMENTAL.

Agenda Report No. 05-0230

The City Council approved the sanitary sewer and storm water drainage improvements in The Fairmont 3rd Addition on December 7, 2004. On February 15, 2005 the City approved Agreements with Baughman Company, P.A. to design the improvements. The Design Agreements with Baughman requires Baughman to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreements between the City and Baughman provides for staking and construction engineering for the improvements. Due to the current workload created by previous projects, City crews are not available to perform the construction engineering for this project.

Payment to Baughman will be on a lump sum basis of \$15,250, and will be paid by special assessments.

The Supplemental Agreements has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Supplemental Agreements be approved and the necessary signatures authorized. Motion carried 7 to 0.

DESIGN SERVICE AGREEMENTS:

MAIN 16

MAIN 16, SANITARY SEWER NO. 23-SOUTH BASIN, EAST AND WEST OF ARKANSAS FROM 37TH TO 46TH STREETS NORTH. (DISTRICT VI)

Agenda Report No. 05-0231

The 2005 Capital Improvement Program includes funding for sewer mains for future development.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of Main 16, Sanitary Sewer No. 23. The Staff Screening & Selection Committee selected R&B for the design on February 10, 2005.

Payment to R&B will be on a lump sum basis of \$43,000, and will be paid by Sewer Utility Operating Revenues.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

AUBURN HILLS

AUBURN HILLS 15TH ADDITION, WEST OF 135TH STREET WEST, NORTH OF KELLOGG. (DISTRICT V)

Agenda Report No. 05-0232

The City Council approved the water distribution system, sanitary sewer and paving improvements in Auburn Hills 15th Addition on March 1, 2005.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond-financed improvements consisting of water distribution system, sanitary sewer and paving in Angel Fire Addition. Per Administrative Regulation 7a, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

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Payment to Baughman will be on a lump sum basis of \$40,800, and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

HIGHLAND SPRINGS HIGHLAND SPRINGS THIRD ADDITION, WEST OF 135TH STREET WEST, SOUTH OF CENTRAL. (DISTRICT II)

Agenda Report No. 05-0233

The City Council approved the storm water drainage improvements in Highland Springs 3rd Addition on January 1, 2005.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond-financed improvements consisting of water distribution system, sanitary sewer and paving in Angel Fire Addition. Per Administrative Regulation 7a, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to Baughman will be on a lump sum basis of \$13,800, and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

PROPERTY ACQUISITIONS:

PROP. ACQUISITION 2132 GEORGE WASHINGTON BOULEVARD FOR THE DRY CREEK BASIN PROPERTY ACQUISITION PROJECT. (DISTRICT III)

Agenda Report No. 05-0234

There have been several, flooding incidents along the Dry Creek basin in East Wichita. As a result of this, the City Council approved a voluntary property acquisition program. The program calls for the acquisition of up to 16 residential properties that have habitable floors that are below the one hundred year flood elevation. One such property is 2132 George Washington Boulevard, which is owned by David and Suzanne Morgan. The site contains 33,444 square feet and is improved with a 1,720 square foot wood frame residence.

The city had the property appraised in January 2005. The appraised value of \$128,000 was offered to the owner. The owner has agreed to sell the property for this amount. The improvements will be removed and the site maintained as open space.

A budget of \$133,750 is requested. This includes \$128,000 for the acquisition, \$5,000 for demolition and \$750 for closing costs and title insurance. The funding source is the Storm Water Utility.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the Real Estate Purchase Contract be approved and the necessary signatures authorized. Motion carried 7 to 0.

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PROP. ACQUISITION PARTIAL ACQUISITION OF 1526 NORTH MARKET AS A PORTION OF THE ABANDONED UNION PACIFIC RAIL CORRIDOR FOR THE MIDTOWN GREENWAY. (DISTRICT VI)

Agenda Report No. 05-0235

In 1999, the Union Pacific Railroad abandoned the rail corridor that runs from Central Ave. and Wichita St. to 15th St. and Broadway. Through this abandonment, rights to the corridor reverted to the adjacent property owners on both sides. The city has reviewed the former corridor and decided that it could be utilized to develop a greenway/lineal park connecting Horace Mann, Irving and Park Schools and the bicycle path on Central. In April 2002, the City Council approved \$74,000 in CDBG funding to acquire portions of the abandoned Union Pacific corridor from Central to 15th St. from the adjacent owners.

Due to their size and configuration, the tracts being acquired are not developable by themselves. The majority of the tracts abut developed properties but lie outside the fenced, defined boundaries of the properties. The purchase price of similar tracts was reviewed to estimate market value. These amounts were offered to the adjacent property owners with several accepting the offers. The owner at 1526 N. Market has agreed to sell to the city his portion of the Union Pacific Railroad tract consisting of 2,000 square feet at \$500.

A budget of \$650 is requested for the acquisition. This includes \$500 for the acquisition and \$150 for closing costs. The funding source is previously approved CDBG funds.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the budget be approved; the real estate purchase contract approved and the necessary signatures authorized. Motion carried 7 to 0.

PROP. ACQUISITION 1001 AND 1017 EAST PAWNEE FOR THE PAWNEE AND WASHINGTON INTERSECTION IMPROVEMENT PROJECT. (DISTRICT III)

Agenda Report No. 05-0236

On October 21, 2003, the City Council approved the improvement of the intersection of Pawnee and Washington. The project will require the acquisition of several parcels of land and easements. Two of the required acquisitions are commercial buildings located at 1001 and 1017 East Pawnee. The properties share a common owner. 1001 Pawnee has 22,388 square feet and is improved with a 1,410 square foot masonry auto repair facility and a 1,610 square foot metal garage. 1017 East Pawnee has 9,563 square feet and is improved with a 1,716 square foot concrete block commercial building. The project will encroach on the improvements on 1017 East Pawnee and will come within 7 feet of the improvements at 1001.

1017 East Pawnee was appraised at \$63,000. 1001 East Pawnee was appraised as a partial take for \$16,960. The owner felt that the road would be so close to the improvements at 1001 East Pawnee after the project that a total acquisition would be required. The total property was valued at \$137,000. The owner agreed to sell the two properties for this combined amount, \$200,000. Instead of relocating, the tenant at 1001 East Pawnee has offered to buy the improvements and 17,085 square feet of the site for \$110,000 financed with at 7.5%, 30-year term, 5 year balloon note from the City. The remainder of the site will be combined with 1017 East Pawnee to provide a 11,300 square foot site with 70 feet of frontage that could be resold or used in further negotiations.

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The project funding source is General Obligation bonds and Federal monies. A budget of \$240,000 is requested. This includes \$200,000 for the acquisition, \$30,000 for relocation, \$8,000 for demolition and \$2,000 for title work and closing costs.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the budget be approved and the necessary signatures authorized. Motion carried 7 to 0.

PROP. ACQUISITION PARTIAL ACQUISITION OF 1151 NORTH MAIN AS A PORTION OF THE ABANDONED UNION PACIFIC RAIL CORRIDOR FOR THE MIDTOWN GREENWAY. (DISTRICT VI)

Agenda Report No. 05-0237

In 1999, the Union Pacific Railroad abandoned the rail corridor that runs from Central Ave and Wichita St. to 15th St. and Broadway. Through this abandonment, rights to the corridor reverted to the adjacent property owners on both sides. The city has reviewed the former corridor and decided that it could be utilized to develop a greenway/lineal park connecting Horace Mann, Irving and Park Schools and the bicycle path on Central. In April 2002, the City Council approved \$74,000 in CDBG funding to acquire portions of the abandoned Union Pacific corridor from Central to 15th St. from the adjacent owners.

Due to their size and configuration, the tracts being acquired are not developable by themselves. The majority of the tracts abut developed properties but lie outside the fenced, defined boundaries of the properties. The purchase price of similar tracts was reviewed to estimate market value. These amounts were offered to the adjacent property owners with several accepting the offers. The owner at 1151 N. Main has agreed to sell to the city his portion of the Union Pacific Railroad tract consisting of 3,800 square feet at \$500.

A budget of \$650 is requested for the acquisition. This includes \$500 for the acquisition and \$150 for closing costs. The funding source is previously approved CDBG funds.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the budget be approved; the real estate purchase contract approved and the necessary signatures authorized. Motion carried 7 to 0.

PROP. ACQUISITION PROPERTY NEAR 11TH STREET AND INDIANA FOR THE MCADAMS NEIGHBORHOOD REVITALIZATION PROJECT. (DISTRICT I)

Agenda Report No. 05-0238

The McAdams revitalization and beautification project calls for the development of a pocket park and playground at the southeast corner of 11th & Indiana. The plans for the park require the acquisition of two parcels. One parcel, consisting of two lots located, is owned by Ms. Louise Gay. The site contains 6,875 square feet and is currently vacant.

The parcel was valued at \$3,400 based on the sale values of similar properties. This amount was offered to the owner and the owner has agreed to sell for this amount. The site is currently open space and will become half of the proposed park.

A budget of \$4,000 is requested. This includes \$3,400 for the acquisition and \$500 for closing costs and title insurance. The revitalization plan includes \$100,000 for the acquisition and development of the park. The funding source is the CDBG funds.

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The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the Real Estate Purchase Contract be approved and the necessary signatures authorized. Motion carried 7 to 0.

PROP. ACQUISITION 1941 SOUTH BLUFF FOR THE DRY CREEK BASIN PROPERTY ACQUISITION PROJECT. (DISTRICT III)

Agenda Report No. 05-0239

There have been several, flooding incidents along the Dry Creek basin in East Wichita. As a result of this, the City Council approved a voluntary property acquisition program. The program calls for the acquisition of up to 16 residential properties that have habitable floors that are below the one hundred year flood elevation. One such property is 1941 South Bluff, which is owned by Jenny Crabb and Stephen Terronez, husband and wife. The site contains 13,834 square feet and is improved with a 1,192 square foot wood frame residence.

The city had the property appraised in January 2005. The appraised value of \$95,000 was offered to the owner. The owner has agreed to sell the property for this amount. The improvements will be removed and the site maintained as open space.

A budget of \$100,000 is requested. This includes \$95,000 for the acquisition, \$4,500 for demolition and \$500 for closing costs and title insurance. The funding source is the Storm Water Utility.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the Real Estate Purchase Contract be approved and the necessary signatures authorized. Motion carried 7 to 0.

PROP. ACQUISITION PERMANENT EASEMENT AT 2432 EAST HARRY FOR HARRY STREET IMPROVEMENT: BETWEEN I-135 AND GEORGE WASHINGTON BOULEVARD. (DISTRICTS I AND II)

Agenda Report No. 05-0240

The 2003 Capital Improvement Program includes a project to improve Harry between I-135 and George Washington Boulevard. The project provides for the reconstruction of Harry to provide four through lanes and a center two-way left turn lane.

The project requires the relocation of a traffic signal to a 5x5 foot site located adjacent to the sidewalk and current right of way at 2432 East Harry. The owners have agreed to accept \$1,000 in exchange for the required permanent easement.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds. A budget of \$1,000 is requested for the acquisition.

The Law Department has approved the easement as to form.

Motion--
--carried

Mayans moved that the budget and contract be approved and the necessary signatures authorized. Motion carried 7 to 0.

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PROP. ACQUISITION DRAINAGE AND UTILITY EASEMENT AT 6008 WEST 29TH STREET NORTH. **(DISTRICT V)**

Agenda Report No. 05-0241

The 2005 Capital Improvement Program includes a project to improve 29th, west of Hoover to ½ mile east of Ridge. To accommodate the planned improvements, utilities will have to be relocated from their current locations. During project design, it was discovered that a tract of land, shown to be dedicated right of way, remains in private ownership. Prior to this discovery, utilities had begun relocating onto the tract of land. The project plans have been designed dependent on this stretch of land being available for use.

The owner has agreed to accept \$1,000 in exchange for the permanent easement necessary for utility relocation and drainage for the project.

Funds are available in the Property Management Special Revenue Fund contingency. A budget of \$1,000 is requested for the acquisition.

The Law Department has approved the easement as to form.

Motion--
--carried

Mayans moved that the budget and agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

PROP. ACQUISITION PERMANENT EASEMENT FOR INTEGRATED LOCAL WATER SUPPLY PLAN.

Agenda Report No. 05-0242

On August 3, 1993 the City Council approved the Water Supply Plan prepared by Burns & McDonnell/MKEC Engineering Consultants. The Plan identified cost-effective water resource projects to meet the City's future water needs. On October 10, 2000 City Council approved the projects and implementation of the plan. One portion of the Water Supply Plan is the groundwater recharge project which includes the capture of above base flow water (water which is generated from rainfall runoff above the base river flow) in the Little Arkansas River, the transfer to and storage of captured water in the aquifer, and the recovery and use of this water to meet future demands for the City of Wichita.

Nine sites were identified as necessary for the capture of above base flow water and six sites were identified as necessary for the location of water treatment, recharge/recovery wells, recharge well, or recharge basins. Fourteen sites have been purchased or are under contract. The owner of the last site has agreed to grant the required easements for \$18,360. In addition, the City has agreed to provide two water meters and place a PVC line under a railroad corridor. The cost of these two items is estimated at \$6,200.

A budget of \$25,000 is requested; this includes \$24,560 for acquisition and \$440 for title work, title insurance and closing costs. Funding for this project is included in the CIP in W-549, Water Supply Plan Phase III, which has an available funding of over \$7.6 million

The Law Department has approved the contracts as to form.

Motion--
--carried

Mayans moved that the Budget be approved; the permanent easement approved and the necessary signatures authorized. Motion carried 7 to 0.

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SURPLUS PROPERTY SALE OF SURPLUS PROPERTY: LOCATED NEAR THE 5500 BLOCK OF SOUTH SPRUCE. (DISTRICT III)

Agenda Report No. 05-0243

An offer has been received for the City-owned parcel located north of Sewer Plant 2 near the 5500 block of South Spruce. The property has approximately 1.79 acres and is currently undeveloped. The site is zoned Residential. The property was acquired for access to the river levee but is no longer needed for this purpose. The parcel has been the site of considerable illegal dumping and several fires. The parcel is landlocked unless access is provided through the mobile home park to the north and west or through the City's ownership to the south. This tract was approved as surplus to the needs of the City Council on June 8, 2004 and has been marketed since approval.

The owners of the adjacent mobile home park have offered \$500 for the parcel. It is not currently served by utilities and the lack of demand for sites makes it cost prohibitive to develop. The buyers have no immediate plans for the site. They are acquiring it so that they can better prevent illegal access and dumping and so they can clean up the site.

The City will receive cash consideration from the sale of the property at closing. In addition, it will return to the tax rolls and the City will be relieved of maintenance costs and liability.

The Law Department has approved the contracts as to form.

Motion--
--carried

Mayans moved that the Real Estate Purchase Contracts be approved and the necessary signatures authorized. Motion carried 7 to 0.

COURTER CLAIM SETTLEMENT OF LAWSUIT-COURTER V. CITY OF WICHITA. (DISTRICT V)

Agenda Report 05-0244

On March 29, 2003, the City's newly installed pump station near 21st Street North and 119th Street West failed and there was a significant sewer back-up in several homes in the Teal Brook Addition which is located just south of 21st Street North and about ½ mile west of 119th Street West. The failure of the pump station to operate properly was either a failure of the computer control system or some other mechanical failure.

The City is ultimately responsible for this failure. Further investigation may reveal that the fault is that of the City's contractor or one of its subcontractor's who recently installed the pump station and its control facilities. Mr. Courter's claim is for damage to his residence and personal property caused by the sewer backup.

The settlement will be paid by the Water and Sewer Utility. The City will seek recover of the payments made to Courter and other claimants in this subdivision from the general contractor and/or its supplier if it is determined that it was their negligence that caused the back-up.

The City is responsible for the backup and the consequent property loss in the Teal Brook Addition. The Law Department recommends payment of \$11,507.09 as fair compensation for the Courter claims and pursuing repayment for all of these costs from the general contractor and/or its suppliers.

Motion--
--carried

Mayans moved that the payment of \$11,507.09 in full settlement of the lawsuit filed by Richie Courter be authorized. Motion carried 7 to 0.

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FOSTER CLAIM

SETTLEMENT OF LAWSUIT-ALICE FOSTER.

Agenda Report 05-0245

Plaintiff, a former employee, claims sexual harassment and discrimination. She also claims to have been constructively discharged, by resigning due to the harassment.

After investigating the claims asserted in the lawsuit, evaluating facts, and considering the risks of trial, the City determined that a resolution of this matter was appropriate. After some discussion, the City has been offered an opportunity to resolve the claim with a lump sum payment of \$75,000.00 as full settlement of all claims arising out of the plaintiff's employment. Because of the risks associated with litigation, the Law Department recommends acceptance of the offer.

Funding for this settlement payment is from the City's Tort Liability Fund

The Law Department recommends acceptance of the offer of settlement.

Motion--
--carried

Mayans moved that the payment of \$75,000.00 as a full settlement of all possible claims arising out of the plaintiff's employment be authorized. Motion carried 7 to 0.

DRUG GRANT APP.

GRANT APPLICATION-DRUG COURT ENHANCEMENT.

Agenda Report 05-0246

The Wichita Municipal Drug Court Program, created in 1995, was one of the first 100 established nationwide and was the first established in Kansas. The Drug Court is a deferred judgment program that provides a non-traditional, therapeutic approach to dealing with criminal offenders who are substance abusers. The judge, prosecutor, probation officer and treatment provider work as a team using a non-adversarial approach to encourage and promote substance free behavior. The components of the program include intensive treatment, regular court appearances, random drug testing, education and counseling. The primary mission of the Drug Court is to rehabilitate the participant through intensive drug and alcohol treatment with accountability and responsibility being key components of the overall program. The Drug Court Program is a successful program with a seven percent (7%) recidivism rate among its graduates. Since the year 2000, there have been 1,437 accepted on the diversion program, a 66 percent graduation rate and 160 currently in the program. Although the program is successful, there has been a significant decline in the number of applicants despite an increasing number of drug/drug related charges. The decline is due in part to: 1) The perception that Drug Court is "too hard"; and, 2) The increasing cost of treatment, an essential element of the program.

The U.S. Department of Justice, Bureau of Justice Assistance is accepting grant proposals for improvement and enhancement of drug courts. The Court is seeking funds to expand the program to offer the same resources available to Drug Court defendants to those defendants in our community who have been placed on probation. The focus of the enhanced program will be toward repeat offenders who have failed traditional adjudication and treatment. These defendants are substance abusers who continue to come back to the Municipal Court for additional "petty" crimes. Many of these defendants cannot keep a job due to their addiction; therefore, they are unable to pay for treatment. Grant funds are sought to pay treatment costs and to support on-going training for the Drug Court staff.

The proposed grant application totals \$335,075. The federal share of the grant is \$200,000. The grant will pay probationers' treatment costs and on-going training for the Drug Court staff. The grant requires a minimum 25 percent matching funds. The City's match will be provided by in-kind funding of \$85,075 and \$50,000 cash match with local funds already budgeted in the 2005 budget.

Motion--
--carried

Mayans moved that the grant application be approved and the Mayor authorized to sign the grant application and grant assurances. Motion carried 7 to 0.

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TRADE OF SURPLUS TRADE OF SURPLUS PROPERTY LOCATED AT 344 NORTH HILLSIDE FOR 1131 NORTH BROADWAY. (DISTRICTS II AND VI)

Agenda Report No. 05-0247

The City acquired 344 North Hillside in 2002 as part of the project to improve Hillside from Central to Kellogg. At the time of acquisition, the site contained 6,513 square foot and was improved with at 1,392 square foot 1.5 story residence. The project required a portion and the removal of the improvements. The remaining tract has approximately 5,770 square feet. It has not been openly marketed. The owner of the adjacent lot to the north has approached the City about a trade. The adjacent owner also owns a vacant parcel containing approximately 10,800 square feet in the 100 block of North Broadway. This parcel is immediately south of the City-owned property at 1137 North Broadway. 1137 North Broadway is developed with a 3,100 square foot residence and coach house on a 10,980 square foot site. Known as the Conely House, it is in the process of being historically designated. Once it is designated, it will be put on the market for sale.

1137 North Broadway is on a very small site and is impacted by poor access. The existing drive is very narrow and is between the north side of the structure and the boundary fence. The addition of the lot to the south will allow additional parking and make access much easier. The Hillside parcel is too small to be redeveloped by alone. Combining with the ownership to the north creates a developable site.

The Hillside tract will return to the tax rolls and will no longer need to be maintained by the City. The Broadway tract will be combined with 1137 North Broadway and be marketed for resale once historical designation is approved.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the Real Estate Purchase Contract be approved and the necessary signatures authorized. Motion carried 7 to 0.

HEALTH & BENEFIT HEALTH AND BENEFIT CONSULTANT CONTRACT RENEWAL.

Agenda Report 05-0248

The City Council directed staff to receive competitive bids for the City of Wichita's 2005 health insurance and employee benefits plan. To initiate this process, the Health Insurance Advisory Board met. The Board approved using an independent Health and Benefits Consultant to assist in the selection process of a health and benefits insurance plan. The Health Insurance Advisory Board approved the Request for Proposal and authorized the Department of Finance to issue the RFP. In conjunction with the Request for Proposal process to select a Health and Benefits Consultant, staff contacted the Insurance Association of Life and Health Underwriters to determine if any member would consider this project. There was not an interest.

The Request for Proposal (RFP) was issued through the City's Purchasing system. The RFP requested the vendor to:

- Review the existing benefit plan and make recommendations for cost-effective improvements.
- Survey and prioritize health care and benefit plan needs.
- Establish strategic goals and objectives for 2005 health care and benefit plans.
- Develop competitive bid specifications for the 2005 City Health Plan (medical, vision and prescription). The RFP requested the consultant to review other City employee benefit programs (such as dental, group term life, disability etc.) and determine if these products are still viable and competitive.
- Screen vendors and assist with final recommendations for providers and contract terms.

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Following the Health Insurance Advisory Board approval, on April 20, 2004, the City Council approved a contract with the firm of Hilb, Rogal and Hobbs (HRH).

The Health Insurance Advisory Board approved the 2005 Project Plan and fee schedule for Hilb, Rogal and Hobbs (HRH) on March 10, 2005. Under the 2005 Work Plan, HRH will undertake the following:

- § Review and bid Vision Plan (if necessary).
- § Review and bid Life Insurance, Accidental Death and Dismemberment, Dependent Life and Voluntary Accidental Death and Dismemberment plans.
- § Review and bid dental plan.
- § Review and bid disability plan.

In addition, HRH will provide consultation on Health Savings Accounts, review retiree medical plan, provide follow-up on employee survey, assist with development of a communications strategy to enhance employee understanding of available benefits to enable employees to make effective choices, negotiate the 2006 rate for Coventry medical and prescription plan and provide consultation on City establishment of a health and benefit data system to be used for future bidding of City health and benefit plans.

The contract amendment would be for a lump sum not to exceed fee of \$128,000 for 2005 with an option to renew at the same fixed price for 2006 and 2007. Funds are budgeted in the Group Health Insurance Fund to pay for a consultant.

Motion--
--carried

Mayans moved that the contract amendment be approved and the appropriate signatures authorized. Motion carried 7 to 0.

2005 RELIEF FUND

DECLARATION FOR PARTICIPATION IN FIREFIGHTERS RELIEF FUND FOR 2005.

Agenda Report 05-0249

The Declaration for Participation must be executed and filed each year to allow the local Firefighters Relief Association to participate in the distribution of the State Firefighters Relief Fund Tax. This Firefighters Relief Fund Tax distribution will be from all fire and lightning insurance premiums collected. The certification indicates that the Wichita Fire Department is a full paid, public fire department with 390 salaried firefighters, and has fire apparatus and necessary equipment that is in serviceable condition with a value exceeding \$20,000,000.00.

By State Statue, two percent of the total premium on fire and lightning insurance written within the State during a calendar year goes to the Commissioner of Insurance to establish the State Firefighter's Relief Fund. After certain payments required by law, the balance of the fund is paid to local firefighters relief associations to be used for benefits for firemen injured, disabled, or killed in the line of duty, payment of funeral expenses, payment of a pension benefit for full-time firemen who are unfit for service after serving 20 years with the department, and to purchase insurance which would provide any of the listed benefits. The Wichita Firemen's Relief Association received \$773,382.52 in the 2003 distribution and received \$855,076.54 in the 2004 distribution. Distribution of the fund to over 575 Associations throughout the state is calculated using the valuation and population of the area the department provides fire protection. The City of Wichita has had a Wichita Firemen's Relief Association since 1896 and has participated in the State Firefighters Relief Association for more than 80 years. The certification is for calendar year 2005.

The Firefighters Relief Fund was created by K.S.A. 40-1701, et seq., and K.A.R. 40-10-1, et seq.

There will be no expense to the City.

Motion--
--carried

Mayans moved that the Declaration for Participation in the Firefighters Relief Association for 2005 be approved and the necessary signatures authorized. Motion carried 7 to 0.

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PENSION SOFTWARE PENSION ADMINISTRATION SOFTWARE FOR WICHITA EMPLOYEE'S AND POLICE & FIRE RETIREMENT SYSTEMS.

Agenda Report No. 05-0250

A competitive Request for Proposal (RFP) for pension administration software was developed and mailed to 46 providers registered in Purchasing's E-procurement system. The primary reason that an RFP was issued was to replace the Gabriel Roeder & Smith (GRS) database, originally implemented as an actuarial database in 1993 and is currently Pension Administration's only software. The GRS system was primarily designed to provide the actuary with the information needed for the annual pension valuation. The current software does not provide sufficient functionality and is labor-intensive to maintain and use. Updated pension administration software will provide additional capability to update life-cycle transactions (e.g. recording when employees become active members, when they vest, when they retire, accumulation of pension credits), and updating biweekly payroll transactions (e.g. tracking employee and employer contributions, compute benefits that currently require manual calculations, providing annual member statements).

Four responses were received. A City Manager approved staff screening and selection committee reviewed the responses. All four firms were invited to present on November 18 and 22, 2004. After the final presentation, the committee narrowed their focus to Vitech and TACS. It was unanimously agreed that the other two proposals (Pension Gold and Tier) did not fully address the City's needs.

Staff checked references and sent additional questions to the finalists. Ultimately, Vitech took the lead as the preferred solution. Pension Management provided the proposed solution to the Information Technology /Information Systems (IT/IS) Advisory Board in January 2005. The IT/IS Board approved due diligence on-site visits with two of Vitech's customers (Houston Police and Houston Fire) and also suggested modifying the contract to include the discovery portion of the project as a separate contract. Upon completion of the Houston on-site review, Pension staff also conducted a lengthy teleconference with the Pennsylvania State Teachers Retirement System who just recently completed Phase II implementation of the Vitech system.

The Internal Auditor has reviewed the documentation for RFP compliance with AR1.2 and confirms that the procedures and required documentation have been properly followed.

Vitech is located in New York, New York. Their pension administration solution is V3 Benefits Administration System, which uses Oracle software. Vitech has a 17-year pension administration history, with 28 current V3 clients, of which eleven are public pension systems. Vitech has a strong financial position with working capital in excess of \$7 million in 2003 and a net income close to \$1 million. Implementation is estimated to take sixteen months. Vitech meets all of the "capability requirements" listed in the City's RFP.

The cost of the software and hardware is approximately \$1,200,000. A 15% contingency is added to the project for unanticipated changes and travel costs, setting the total project at approximately \$1,380,000. Annual maintenance is \$95,000. The entire cost of the project will be paid for by the pension trust funds. The cost is being distributed based on the number of beneficiaries in each retirement system, 35% from Police & Fire Retirement System, and 65% from Wichita Employees Retirement System (35% Defined Benefit and 30% Defined Contribution). Both retirement systems Board of Trustees have approved their respective share of the expenditures.

The Law Department will review and approve the contract as to form. The retirement ordinances require expenditures from the Trust to be approved by the retirement Boards of Trustees. To the extent the contract will provide for compensation for professional services, and the overall project will require coordination with the City's IT/IS staff, and linkage with the City payroll system, it is also subject to City Council approval.

Motion--
--carried

Mayans moved that the pension software project be authorized and the retirement Boards entry into a Motion carried 7 to 0.

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JOBS VAN LEASE

LEASE OF ACCESS TO JOBS VAN.

Agenda Report 05-0251

Access to Jobs has been planning on implementing a van pool program since 2001. The Access to Jobs program provides rides to and from work for low-income workers. Since the start of the program in October 2000, Access has provided over 489,799 rides. By entering into a lease agreement with the Breakthrough Club, the program can provide over 6,500 more rides a year to low-income clients in a very cost effective manner.

The City of Wichita selected Don Hattan Chevrolet, Inc. to supply vans under FP 400521, approved by Council on 12/21/04. This van will be leased to the non-profit agency Breakthrough Club, which will pay for half the purchase price of the van upfront. The other half of the cost of the van will be paid by the Federal Transit Administration. In case the non-profit cancels their lease, the van will already be paid for and be returned to the Wichita Transit. All operating costs incurred by the agency will be paid by the agency. The van will be used by the agency to provide rides to and from work for low-income individuals.

The Access to Jobs van will be purchased with grants from FTA (50%) and the Leasing Agency (50%). The cost of the Chevrolet Uplander will be \$16,100. No city funds will be involved in the van lease program.

Lease agreement was drafted by the Legal Department.

Motion--
--carried

Mayans moved that the van lease be approved and the necessary signatures authorized. Motion carried 7 to 0.

SCIENCE FOUND.

NATIONAL SCIENCE FOUNDATION GRANT APPLICATION.

Agenda Report 05-0252

The environmental education component of the Wichita Area Treatment, Education and Remediation (WATER) Center addresses water quality resources focusing on public education regarding hydrological processes, groundwater remediation, impacts to public health and the environment, and the inter-relationship between groundwater and the Arkansas River. The facility provides a unique and important educational destination for schools, civic groups, and the general public.

In 2003, a preliminary WATER Center education exhibit development plan was prepared by the firm of has selected Taylor Studios for the design and construction of the center's exhibits. The firm provided for the design of the exhibits for the Herman Hill/Gilbert-Mosley Environmental Education Facility. The draft contract has been reviewed by both the Legal Department and the Purchasing Department. Taylor Studios has performed other projects in area such as the "Fossil Dig" at Exploration Place and all of the new exhibits for Dillon Nature Center in Hutchinson, conceptual exhibit designs through discussions and interaction with local and state educational institutions, staff, and other community organizations, and developed and provided a "design book" of proposed exhibits for the facility. The firm also developed projected construction costs to be used for funding solicitation.

The Department of Environmental Health is requesting authorization to apply for a National Science Foundation "Informal Science Education" grant. The grant would fund hands-on environmental education exhibits at the WATER Center. The educational component of the WATER Center has been designed similarly to that of the Great Plains Nature Center. Once exhibits and displays were installed, the Nature Center was able to reach 150,000 visitors per year. The WATER Center's objective is to provide a similarly large number of visitors with an enhanced educational experience relative to water quality, protection and conservation, pollution prevention, and environmental stewardship.

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The grant application deadline was March 18, 2005. Under authority of City of Wichita Administrative Regulation No. 61, the City Manager is authorized to submit the grant application where delay would invalidate the grant application.

The grant, if awarded, would provide funding in the amount of \$569,000. There is no requirement for local matching funds.

The Law Department has reviewed the application as to form.

Motion--
--carried

Mayans moved that the grant application be approved; the necessary signatures authorized and the grant if awarded accepted. Motion carried 7 to 0.

(Item 21) NW BYPASS

NORTHWEST BYPASS. (DISTRICT V)

Agenda Report No. 05-0253

On August 7, 2001 the City Council approved an agreement with the Kansas Department of Transportation to participate in the cost of right-of-way acquisition for the Northwest Bypass, a new freeway to connect U.S. 54 (Kellogg) and K-96 in the northwest quadrant of Wichita.

The northwest quadrant of the Wichita metropolitan area is and will continue to experience increasing growth. The City's new sewage treatment facility in this vicinity is evidence of increasing development in this area. The construction of a freeway will accommodate growth and development in this quadrant of the community. Additionally, a new bypass will improve access to business and residential development served by US 54 and K-96, further increasing economic development opportunities.

The estimated cost of the City's share is \$1,500,000. The funding source is General Obligation Bonds Sedgwick County is also contributing \$1,500,000 for right-of-way acquisition. The Kansas Department of Transportation will pay all right-of-way costs over \$3,000,000.

The Law Department has approved the Ordinance as to legal form.

- Council Member Fearey Council Member Fearey stated that she has concerns with this item, which is asking for a 1.5 million dollar right-of-way acquisition and it being on the Consent Agenda.
- Council Member Gray Council Member Gray stated that this road is not going to stop development in our city and that this is a permanent reality that the Council needs to anticipate. Stated that if we pursue this now it will be cheaper to buy wheat fields instead of homes and that they can plan neighborhoods around this project. Stated that the Council cannot afford to put this off.
- Council Member Martz Council Member Martz stated that he also has concerns with this item and that the City has already spent a lot of money developing Kellogg and that this is a project to bypass Wichita. Stated that there are two other intersections in this area that need to be fixed and that there is money for a study but no money for construction. Stated that there will be no financial commitment from the Kansas Department of Transportation (KDOT) and asked how much the financial commitment will be from the City. Stated that he also has a concern with this item being on the Consent Agenda.
- Chris Carrier Director of Public Works explained that this does not have to be approved today. Stated that there was a development in this area that was platted and that would be part of this bypass right-of-way. Stated that they are trying to authorize advance purchasing of this piece of right-of-way. Stated that the City and County have each agreed to pay 1.5 million with the State picking up the rest of the balance.

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Council Member Schlapp Council Member Schlapp stated that the Consent Agenda seems to be getting bigger and bigger and that she is also uncomfortable with this item being on the Consent Agenda.

George Kolb City Manager stated that we are doing our best to keep controversial items off of the Consent Agendas and that this particular item had been discussed in detail by the Council previously.

Motion-- Fearey moved to defer this item until April 5, 2005.

Council Member Gray Council Member Gray asked that maps be provided prior to this meeting.

Council Member Fearey Council Member Fearey asked that dates and history also be provided to bring the Council Members up to date.

Council Member Brewer Council Member Brewer asked that this information also be provided to the council candidates and that we move forward.

--carried Motion carried 7 to 0.

RELOC. OF UTIL.

RELOCATION OF UTILITIES ALONG CAMDEN CHASE, ROSEMONT AND WILLIAMSGATE STREETS IN HAWTHORNE ADDITION, NORTH OF 21ST STREET, EAST OF 127TH STREET EAST. (DISTRICT II)

Agenda Report No. 05-0254

On September 9, 2003, the City Council approved Petitions to provide paving to Hawthorne Addition, a new development, located at 127th Street East and 21st Street North. A natural gas pipeline relocation was required as a part of these projects.

Estimated cost to relocate the KANEB gas pipeline was \$44,000 and on March 16, 2004 Council approval was given to authorize the expenditure. The relocation is now complete and a final invoice for \$54,971.13 has been submitted for payment. Research of the increased cost reveals that it was not anticipated the relocation would require recoating of the pipeline. The developer for the Hawthorne Addition has reviewed the charges and agrees to the assessment of the additional \$10,71.13 to the paving project. The original agreement of March 16, 2004 provided for 100% reimbursement of all relocation costs created by the paving project. Due to the actual costs exceeding the previous estimate and authorized expenditure of \$44,000 it is necessary for City Council to approve payment of the actual costs as stated in the contract.

Funds are available in the projects to provide for utility relocation costs. The funding source is special assessments, with 56 percent to be charged to Rosemont Phase A (472-83829), and 44 percent to be charged to Rosemont Phase 1A (472-83828).

There are no legal considerations.

Motion-- Mayans moved that the increased expenditure in compliance with the approved contract be approved
--carried Motion carried 7 to 0.

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(Item 23)

BOEING COMPANY PURCHASE OPTIONS, THE BOEING COMPANY.

Agenda Report 05-0255

In 1979 and 1980, the Wichita City Council approved the issuance of its Industrial Revenue Bonds, Series XCVIII, 1979, in the original aggregate principal amount of \$112,000,000 and its Industrial Revenue Bonds, Series I, 1980, in the original aggregate principal amount of \$87,000,000, respectively. Bond proceeds for each series were used for the purpose of financing the costs of acquisition, construction, equipping and furnishing of certain industrial facilities (collectively the "Projects") for lease to, and use by, The Boeing Company ("Tenant"). Under the provisions of the applicable Lease Agreements the Tenant, if not in default, has the option to purchase the facility from the City for the sum of \$200, plus all amounts required to provide for redemption and payment of the principal, interest and premium on all outstanding bonds, together with the Trustee's fees and costs of redemption. The Series XCVIII, 1979 Bonds and Series I, 1980 Bonds have previously matured and been paid according to their terms. The City has received notice of the Tenant's request to exercise its purchase option, and the firm of Kutak Rock LLP, Tenant's Bond Counsel, has submitted documents for that purpose.

Under the terms of the applicable Lease Agreements, the City is required to convey the property securing the IRB issue to the Tenant, following the payment of all Bonds and the Tenant's payment of the purchase price and other consideration under the provisions of the Lease Agreements.

The purchase price is \$200, and will be paid by the Tenant at or prior to closing of the reconveyance.

It is appropriate for the City to quit claim the 1979 and 1980 project property to the Tenant, and to terminate the leases and security interests and take all other actions needed to terminate the City's interest in the property. The City Attorney's Office has approved the form of the attached Resolution and the forms of the Quit Claim Deed and each Termination of Lease to be executed and delivered by the City, and each Release of Lien of Indenture to be approved by the City and delivered to the Tenant by the Trustee.

Mayor Mayans

Mayor Mayans stated that his reason for pulling this item was to exclude himself and Council Member Brewer from the vote.

Motion--
--carried

Gray moved that the Resolution approving the reconveyance and termination instruments be adopted and the necessary signatures authorized. Motion carried 5 to 0, (Mayans and Brewer abstained due to conflict of interest).

RESOLUTION NO. 05-126

A resolution of the City of Wichita, Kansas, approving the AUTHORIZING THE EXECUTION AND DELIVERY OF A QUITCLAIM DEED AND TERMINATION OF LEASE, presented. Gray moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Gray, Lambke, Martz, and Schlapp. (Mayans and Brewer abstained due to conflict of interest).

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PARK WEST PLAZA PURCHASING OPTION, PARK WEST PLAZA, LLC. (DISTRICT V)

Agenda Report 05-0256

On March 1, 2005, the City Council acted to ratify an optional call as requested by Park West Plaza, LLC (the "Tenant") in a notice that had been dated February 14, 2005 and mailed to both the City and the Trustee. The noticed call date for the 1995 and 1997 Park west Plaza Bonds is April 1, 2005. On March 9, 2005, counsel for the Tenant belatedly notified the City that: a) the Tenant does not have funds of its own to meet the noticed call; b) the source of funds the Tenant is relying on for the Bond redemption is a bank loan, to be secured by the project property; and c) the Tenant therefore also needs to exercise its purchase options for the 1995 and 1997 projects on or before April 1, 2005. (The specific request is for a March 30, 2005 closing).

Under the provisions of the Lease Agreement the Tenant, if not in default, has the option to purchase the 1995 and 1997 projects from the City of Wichita for the sum of \$2,000, plus all amounts required to provide for redemption and payment of the principal, interest and premium on all outstanding Bonds, together with the Trustee's fees and costs of redemption.

Under the terms of the Lease, the City is required to convey the property securing the IRB issue to the Tenant, within 30 to 180 days of the Tenant's notice, if the Tenant has cured all defaults and paid the purchase price and other considerations as listed under the provisions of the Lease Agreement, including the payment of all outstanding bonds. To facilitate the desired closing of the reconveyance at or prior to the time of the April 1, 2005 Bond redemption, the City would have to agree to waive some part of the minimum thirty-day notice period. Before conveyance instruments can actually be delivered to the Tenant (terminating the security interests of Bondholders), the City will need to make sure the Tenant is current on its reporting and annual filing obligations, arbitrage rebate, and other obligations, and that the Bonds have actually been paid, or defeased by an adequate cash escrow. Because this meeting is the only available agenda setting prior to the scheduled Bond redemption, the accompanying Resolution has been drawn to conditionally waive the 30-day minimum notice period and to authorize execution and delivery of documents for the requested reconveyance, upon satisfaction by the Tenant of all necessary conditions.

The purchase price is \$2,000 and other considerations as listed under the provision of the Lease Agreement, including absence of defaults, and payment of all sums necessary to pay principal, interest, redemption premium, and all other expenses of redemption of the Bonds, and all Trustee fees.

It is appropriate for the City to convey the 1995 and 1997 project property to the Tenant by special warranty deed, once all the conditions established in the Lease and Resolution have been met. The City Attorney's Office has approved the form of the attached Resolution to authorize the execution of the Special Warranty Deed, Bill of Sale and Termination of Lease Agreement, and the delivery of such documents following satisfaction of applicable conditions.

Motion--

--carried

Mayans moved that the Resolution approving reconveyance instruments and necessary signatures, with waiver of the notice period and delivery of the executed instruments dependent on satisfaction of certain conditions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 05-127

A resolution of the City of Wichita, Kansas, approving the SALE OF CERTAIN PROJECTS FINANCED WITH THE PROCEEDS OF REVENUE BONDS OF THE CITY; AND AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A SPECIAL WARRANTY DEED, (2) A BILL OF SALE, AND (3) A TERMINATION AND RELEASE OF LEASES, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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BIKE PATH

BIKE PATH ALONG THE LITTLE ARKANSAS RIVER, FROM 13TH STREET TO 21ST STREET AND ALONG 21ST STREET TO AMIDON. (DISTRICT VI)

Agenda Report No. 05-0257

On July 15, 2003, the City Council approved a project to construct a bike path along the Little Arkansas River, from 13th to 21st and along 21st to Amidon. On February 11, 2005, bids were opened on the project. All bids exceeded the project budget.

An amending Resolution has been prepared to increase the authorized budget.

The current budget totals \$580,000 with \$200,000 paid by the City and \$380,000 by Federal Grants administered by the Kansas Department of Transportation. The revised budget is \$700,000 with \$220,000 paid by the City and \$480,000 by Federal Grants. The funding source for the City share is General Obligation Bonds. Funding for the budget increase is available from favorable bids on the Main Street improvement project.

The Law Department has approved the amending Resolution as to legal form.

Motion--carried

Mayans moved that the amending Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 05-137

Resolution of findings of advisability and Resolution authorizing the issuance of bonds by the City of Wichita at large to construct a BIKE PATH ALONG THE LITTLE ARKANSAS RIVER, FROM 13TH STREET TO 21ST STREET (472-83812), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ MARCH 8, 2005)

- a) Amendment of Industrial Revenue Bond Documents, Airtechnics, Inc. (District II)

ORDINANCE NO. 46-554

1) An Ordinance of the City of Wichita, Kansas, authorizing the execution and delivery of, and consenting to a second amendment of certain real estate indenture by and between the City of Wichita, Kansas, as issuer, and the Bank of New York Trust Company, N.A., St. Louis, Missouri, a National Banking Associate, as Trustee, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

ORDINANCE NO. 46-555

2) An Ordinance of the City of Wichita, Kansas, authorizing the execution and delivery of, and consenting to a second amendment of a certain equipment trust indenture by and between the City of Wichita, Kansas, an issuer, and Intrust Bank, N.A., a National Banking Association, Wichita, Kansas, as Trustee, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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- b) Special Assessments Hardship Deferral Program.

ORDINANCE NO. 46-556

An Ordinance amending Section 2.24.075 of the Code of the City of Wichita, Kansas, pertaining to deferral of payment of special assessments and repealing the original of said Section, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

- c) 29th Street North Improvement, from 119th Street West to Maize. (District V)

ORDINANCE NO. 46-557

An Ordinance declaring 29th Street North, between 119th Street West and Maize (472-84185) to be a main traffic way within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main traffic way; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

- d) 37th Street North Improvement from Tyler to Ridge and replacement of bridge located 1,300 feet west of Ridge. (District V)

ORDINANCE NO. 46-558

1) An Ordinance declaring 37th Street North, between Tyler and Ridge (472-84186) to be a main traffic way within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main traffic way; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

ORDINANCE NO. 46-559

2) An Ordinance declaring 37th Street North bridge at the Big Slough (1,300 feet west of Ridge) 472-84187) to be a main traffic way within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main traffic way; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

WATER, SEWER, STORM WATER PROJECTS.

- a) (470-858/448-89459)

ORDINANCE NO. 46-455

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89459 TO SERVE BOOHER 2ND ADDITION, South of 55th Street South, West of Seneca., read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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b) (470-870/448-89496)

ORDINANCE NO. 46-456

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89496 TO SERVE KILLENWOOD POINTE ADDITION, South of 13th Street, East of Greenwich, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

c) (470-825/448-89737)

ORDINANCE NO. 46-457

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89737 TO SERVE HAWTHORNE, HAWTHORNE 2ND, 3RD & 4TH ADDITIONS, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

d) (470-848/448-89741)

ORDINANCE NO. 46-458

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89741 TO SERVE RIDGE PORT NORTH 5TH ADDITION, South of 37th Street North, East of Ridge, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

e) (470-851/448-89756)

ORDINANCE NO. 46-459

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89756 TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

f) (470-852/448-89766)

ORDINANCE NO. 46-460

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89766 TO SERVE SOUTHERN RIDGE ADDITION, South of Pawnee, West of Maize, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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g) (470-786/448-89781)

ORDINANCE NO. 46-461

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89781 TO SERVE SIERRA HILLS ADDITION, East of 127th Street East, North of Pawnee, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

h) (470-787/448-89782)

ORDINANCE NO. 46-462

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89782 TO SERVE SIERRA HILLS ADDITION, East of 127th Street East, North of Pawnee, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

i) (470-877/448-89817)

ORDINANCE NO. 46-463

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89817 TO SERVE SHADOW WOODS ADDITION, West of 135th Street West, North of Maple, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

j) (470-861/448-89822)

ORDINANCE NO. 46-464

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89822 TO SERVE REED'S COVE ADDITION, South of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

k) (470-849/448-89827)

ORDINANCE NO. 46-465

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89827 TO SERVE HIGHLAND SPRINGS 3RD ADDITION, West of 135th Street West, South of Central, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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l) (470-855/448-89837)

ORDINANCE NO. 46-466

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89837 TO SERVE FOX RIDGE ADDITION, North of 29th Street North, between Maize & Tyler, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

m) (470-876/448-89847)

ORDINANCE NO. 46-467

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89847 TO SERVE REGENCY PARK ADDITION, North of 21st, West of Greenwich Road, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

n) (470-831/448-89849)

ORDINANCE NO. 46-468

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89849 TO SERVE HARVEST RIDGE ADDITION, West of Maize, South of 31st Street South, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

o) (470-821/448-89856)

ORDINANCE NO. 46-533

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89856 TO SERVE BRIGHTON COURTS ADDITION, South of 21st, West of Webb, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

p) (470-824/448-89862)

ORDINANCE NO. 46-469

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89862 TO SERVE HAWTHORNE 2ND & 3RD ADDITIONS, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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q) (470-838/448-89866)

ORDINANCE NO. 46-470

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89866 TO SERVE AVALON PARK, North of 37th Street North, East of Tyler, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

r) (470-847/448-89882)

ORDINANCE NO. 46-471

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89882 TO SERVE CRESTVIEW COUNTRY CLUB ESTATES OVERBROOK 5TH ADDITION, East of 143rd Street East, South of 13th, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

s) (470-830/448-89887)

ORDINANCE NO. 46-472

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89887 TO SERVE RIVENDALE ADDITION, North of 55th Street South, West of Hydraulic, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

t) (470-829/448-89898)

ORDINANCE NO. 46-473

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89898 TO SERVE RIDGE ADDITION, North of 37th Street North, West of Ridge, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

u) (470-841/448-89912)

ORDINANCE NO. 46-474

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89912 TO SERVE ENGLISH COUNTRY GARDENS ADDITION, East of Tyler, North of 13th Street, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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v) (470-846/448-89914)

ORDINANCE NO. 46-475

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89914 TO SERVE AVALON PARK, UNPLATTED TRACTS A, B, C, & D, NORTHRIDGE PLAZA, RIDGE, TYLER'S LANDING, TYLER'S LANDING 2ND & HOSKINSON'S 2ND ADDITIONS, Along 37th Street North, between Tyler & Ridge, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

w) (470-860/448-89932)

ORDINANCE NO. 46-476

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89932 TO SERVE HINKLE'S ADDITION, East of Woodlawn, South of 29th Street, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

x) (470-856/448-89934)

ORDINANCE NO. 46-477

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89934 TO SERVE KRUG NORTH ADDITION, North of 21st, West of 143rd Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

y) (470-862/448-89945)

ORDINANCE NO. 46-478

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89945 TO SERVE STEVE KELLEY 5TH ADDITION, South of 13th, East of Hoover, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

z) (480-725/468-83106)

ORDINANCE NO. 46-479

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 101, SANITARY SEWER NO. 23, East of Meridian, South of 53rd Street North, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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aa) (480-678/468-83186)

ORDINANCE NO. 46-480

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of MAIN 19, SOUTHWEST INTERCEPTOR SEWER, Bounded by 29th Street North, Hoover, K-96 & Tyler, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

bb) (480-699/468-83506)

ORDINANCE NO. 46-481

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

cc) (480-700/468-83508)

ORDINANCE NO. 46-482

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 2, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

dd) (480-701/468-83509)

ORDINANCE NO. 46-483

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 3, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ee) (480-732/468-83524)

ORDINANCE NO. 46-484

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 6, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, South of 37th Street North, East of Ridge, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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ff) (480-735/468-83533)

ORDINANCE NO. 46-485

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 5, MAIN 5, NORTHWEST INTERCEPTOR SEWER, South of 13th, West of 135th Street West, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

gg) (480-736/468-83549)

ORDINANCE NO. 46-486

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 33, COWSKIN INTERCEPTOR SEWER, South of Pawnee, West of Maize, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

hh) (480-742/468-83568)

ORDINANCE NO. 46-487

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 3, MAIN 14, FOUR MILE CREEK SEWER, South of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ii) (480-665/468-83583)

ORDINANCE NO. 46-488

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 343, FOUR MILE CREEK SEWER, East of 127th Street East, North of Pawnee, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

jj) (480-714/468-83659)

ORDINANCE NO. 46-489

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 1, MAIN 5, COWSKIN INTERCEPTOR SEWER, West of Maize, South of 31st Street South, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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kk) (480-702/468-83672)

ORDINANCE NO. 46-534

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 83, MAIN 22, WAR INDUSTRIES SEWER, South of 21st, West of Webb, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ll) (480-754/468-83689)

ORDINANCE NO. 46-490

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 9, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

mm) (480-731/468-83709)

ORDINANCE NO. 46-491

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 358, FOUR MILE CREEK SEWER, East of 143rd Street East, South of 13th, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

nn) (480-710/468-83714)

ORDINANCE NO. 46-492

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 94, MAIN 1, SOUTHWEST INTERCEPTOR SEWER, North of 55th Street South, West of Hydraulic, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

oo) (480-721/468-83725)

ORDINANCE NO. 46-493

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 13, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, South of 37th Street North, East of Tyler, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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pp) (480-722/468-83726)

ORDINANCE NO. 46-494

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 14, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, South of 37th Street North, East of Tyler, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

qq) (480-712/468-83736)

ORDINANCE NO. 46-495

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 15, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, West of Ridge Road, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

rr) (480-730/468-83747)

ORDINANCE NO. 46-496

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 361, FOUR MILE CREEK SEWER, South of 13th, East of Greenwich, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ss) (480-743/468-83801)

ORDINANCE NO. 46-497

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 272, MAIN 5, SANITARY SEWER NO. 22, South of 13th, East of Hoover, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

tt) (485-212/468-83516)

ORDINANCE NO. 46-498

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 190, PART 1, TO SERVE HAWTHORNE & HAWTHORNE 4TH ADDITIONS, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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uu) (485-251/468-83517)

ORDINANCE NO. 46-499

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 191, PART 1, TO SERVE HAWTHORNE & HAWTHORNE 4TH ADDITIONS, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

vv) (485-254/468-83560)

ORDINANCE NO. 46-500

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 582, TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ww) (485-237/468-83571)

ORDINANCE NO. 46-501

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 592, TO SERVE REED'S COVE & REED'S COVE 2ND ADDITIONS, South of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

xx) (485-225/468-83625)

ORDINANCE NO. 46-502

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 204, TO SERVE REED'S COVE, REED COMMERCIAL, REED'S COVE 2ND & 3RD ADDITIONS, South of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

yy) (485-244/468-83640)

ORDINANCE NO. 46-503

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 589, TO SERVE EVERGREEN 4TH ADDITION & UNPLATTED TRACT, South of 29th Street North, West of Maize, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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z) (485-242/468-83662)

ORDINANCE NO. 46-504

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 208, TO SERVE HARVEST RIDGE ADDITION, West of Maize, South of 31st Street South, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

aaa) (485-238/468-83674)

ORDINANCE NO. 46-535

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 593, TO SERVE BRIGHTON COURTS ADDITION, South of 21st, West of Webb, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

bbb) (485-240/468-83719)

ORDINANCE NO. 46-505

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 595, TO SERVE RIVENDALE ADDITION, North of 55th Street South, West of Hydraulic, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ccc) (485-247/468-83728)

ORDINANCE NO. 46-506

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 598, TO SERVE TYLER'S LANDING 2ND ADDITION, South of 37th Street North, East of Tyler, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ddd) (485-241/468-83737)

ORDINANCE NO. 46-507

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 601, TO SERVE RIDGE ADDITION, North of 37th Street North, West of Ridge, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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eee) (485-243/468-83749)

ORDINANCE NO. 46-536

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 603, TO SERVE BRIGHTON COURTS ADDITION, South of 21st, West of Webb, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

fff) (485-252/468-83756)

ORDINANCE NO. 46-508

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 222, TO SERVE ENGLISH COUNTRY GARDENS ADDITION, East of Tyler, North of 13th Street, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

ggg) (485-253/468-83775)

ORDINANCE NO. 46-509

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 225, TO SERVE REGENCY LAKES COMMERCIAL 2ND & UNPLATTED TRACT "A", North of 21st, West of Greenwich, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

hhh) (485-257/468-83800)

ORDINANCE NO. 46-510

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 230, TO SERVE REED'S COVE, REED COMMERCIAL, REED'S COVE 2ND & 3RD ADDITIONS, South of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

iii) (485-272/468-83868)

ORDINANCE NO. 46-511

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 191, PART 2, TO SERVE HAWTHORNE ADDITION, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

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jjj) (485-271/468-83869)

ORDINANCE NO. 46-512

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 190, PART 2, TO SERVE HAWTHORNE, HAWTHORNE 2ND, 3RD & 4TH ADDITIONS, North of 21st, East of 127th Street East, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Motion carried, Brewer, Fearey, Gray, Lambke, Martz, Schlapp and Mayans.

PLANNING AGENDA

Motion--carried

Mayans moved that the Planning Consent items be approved as presented. Motion carried 7 to 0.

SUB2004-130

SUB2004-130-PLAT OF SOONERS ADDITION, LOCATED ON THE NORTH SIDE OF 47TH STREET SOUTH AND EAST OF HYDRAULIC. (DISTRICT III)

Agenda Report 05-0258

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (13-0)

This unplatted site, consisting of one lot on .9 acres, is located within Wichita's city limits. This site is zoned LC-5, Limited Commercial District.

Petitions, 100% percent, and a Certificate of Petition have been submitted for paving and sewer improvements. An off-site Public Sanitary Sewer Easement has been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Certificate of Petition and Public Sanitary Sewer Easement will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Resolutions adopted. Motion carried 7 to 0.

RESOLUTION NO. 05-162

Resolution of findings of advisability and Resolution authorizing constructing pavement on MINNEAPOLIS AND KANSAS STREET ADJACENT TO SOONERS ADDITION (North of 47th Street South, East of Hydraulic) 472-84204 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-163

Resolution of findings of advisability and Resolution authorizing construction of LATERAL 97, MAIN 1, SOUTHWEST INTERCEPTOR SEWER (North of 47th Street South, East of Hydraulic) 468-83981, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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SUB2004-138

SUB2004-138-PLAT OF SOUTHERN RIDGE THIRD ADDITION, LOCATED SOUTH OF PAWNEE AND ON THE WEST SIDE OF MAIZE ROAD. (DISTRICT V)

Agenda Report 05-05-0259

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (13-0)

This site, consisting of 188 lots on 63.07 acres, is located within Wichita's city limits and is zoned SF-5, Single-family Residential District. This site consists of the southern portion of the overall preliminary plat and represents the third phase of development.

Petitions, all 100%, and a Certificate of Petition have been submitted for sewer, water, pavement, drainage and left-turn lane improvements. A Restrictive Covenant has been submitted to provide for the ownership and maintenance of the proposed reserves and to create a Homeowner's Association to provide for the ownership and maintenance of the reserves. A Restrictive Covenant has also been submitted to provide four off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Certificate of Petition and Restrictive Covenants will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Resolutions adopted. Motion carried 7 to 0.

RESOLUTION NO. 05-146

Resolution of findings of advisability and Resolution authorizing constructing pavement on YOSEMITE FROM THE SOUTHWEST LINE OF LOT 17, BLOCK B, NORTH TO THE NORTHWEST LINE OF THE PLAT, AND ON DALLAS FROM THE SOUTHEAST LINE OF YOSEMITE, SOUTHEAST AND EAST TO THE WEST LINE OF GREENFIELD AND THAT SIDEWALK BE CONSTRUCTED ON YOSEMITE AND DALLAS, (472-84188), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-147

Resolution of findings of advisability and Resolution authorizing constructing pavement on YOSEMITE FROM THE SOUTHWEST LINE OF LOT 17, BLOCK B, SOUTH TO THE SOUTHWEST LINE OF LOT 13, BLOCK B, ON WESTGATE FROM THE SOUTHEAST LINE OF YOSEMITE, SOUTHEAST TO THE NORTH LINE OF GREENFIELD, ON GREENFIELD FROM THE EAST LINE OF WESTGATE, WEST TO THE EAST LINE OF LARK LANE AND ON GREENFIELD CIRCLE FROM THE EAST LINE OF GREENFIELD, EAST TO AN INCLUDING THE CUL-DE-SAC AND THAT SIDEWALK BE CONSTRUCTED ON YOSEMITE, WESTGATE AND GREENFIELD (472-84189), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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RESOLUTION NO. 05-148

Resolution of findings of advisability and Resolution authorizing constructing pavement on YOSEMITE FROM THE SOUTHWEST LINE OF LOT 13, BLOCK B, SOUTH TO THE NORTHEAST LINE OF LARK LANE ON LARK LANE FROM THE NORHTWEST LINE OF LOT 11, BLOCK B, SOUTHEAST AND SOUTH TO THE SOUTH LINE OF THE PLAT AND ON LARK COURT FROM THE WEST LINE OF LARK LANE, WEST TO AND INCLUDING THE CUL-DE-SAC AND THAT SIDEWALK BE CONSTRUCTED ON YOSEMITE AND LARK LANE (472-84190), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-149

Resolution of findings of advisability and Resolution authorizing constructing pavement on GREENFIELD FROM THE SOUTH LINE OF DALLAS, SOUTH AND EAST TO THE EAST LINE OF THE PLAT, ON DALLAS FROM THE EAST LINE OF LOT 23, BLOCK A, TO THE EAST LINE OF LOT 22, BLOCK A ON DALLAS CIRCLE FROM THE EAST LINE OF LOT 22, BLOCK A, EAST TO AND INCLUDING THE CUL-DE-SAC AND THAT A SIDEWALK BE CONSTRUCTED ON GREENFIELD AND DALLAS (472-84191), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-150

Resolution of findings of advisability and Resolution authorizing constructing pavement on LARK LANE FROM THE NORTH LINE OF THE PLAT TO THE NORTHWEST LINE OF LOT 11, BLOCK B, ON LARK COURT FROM THE WEST LINE OF LARK LANE, WEST TO AND INCLUDING THE CUL-DE-SAC, ON PRESCOTT FROM THE WEST LINE OF LARK LANE WEST AND SOUTH TO THE SOUTH LINE OF LOT 25, BLOCK C AND THAT A SIDEWALK BE CONSTRUCTED ON LARK LANE (472-84192), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-151

Resolution of findings of advisability and Resolution authorizing constructing pavement on PRESCOTT FROM THE SOUTH LINE OF LOT 25, BLOCK C, SOUTH TO THE SOUTH LINE OF LOT 27, BLOCK C, AND ON PRESCOTT CIRCLE FROM THE SOUTH LINE OF LOT 27, BLOCK C, SOUTH TO AND INCLUDING THE CUL-DE-SAC AND ON PRESCOTT COURT FROM THE EAST LINE OF PRESCOTT, EAST TO AND INCLUDING THE CUL-DE-SAC (472-84193), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-152

Resolution of findings of advisability and Resolution authorizing construction Of LATERAL 45, COWSKIN INTERCEPTOR SEWER (South of Pawnee, West of Maize) 468-83965, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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RESOLUTION NO. 05-153

Resolution of findings of advisability and Resolution authorizing construction of LATERAL 46, COWSKIN INTERCEPTOR SEWER, (South of Pawnee, West of Maize) 468-83966, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-154

Resolution of findings of advisability and Resolution authorizing construction of LATERAL 47, COWSKIN INTERCEPTOR SEWER, (South of Pawnee, West of Maize) 468-83967, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-155

Resolution of findings of advisability and Resolution authorizing improving STORM WATER DRAIN NO. 253 (South of Pawnee, West of Maize) 468-83968 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-156

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90052 (South of Pawnee, West of Maize), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-157

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90053 (South of Pawnee, West of Maize) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-158

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90054 (South of Pawnee, West of Maize), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-159

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90055 (South of Pawnee, West of Maize), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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RESOLUTION NO. 05-160

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90056 (South of Pawnee, West of Maize), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-161

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90057 (South of Pawnee, West of Maize), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

SUB2004-139

SUB2004-139-PLAT OF NORTH RIDGE VILLAGE ADDITION, LOCATED NORTH OF 37TH STREET NORTH AND ON THE WEST SIDE OF RIDGE ROAD. (DISTRICT V)

Agenda Report 05-0260

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

This site, consisting of eight lots on 55.95 acres, is located in the County adjoining Wichita's city limits and has recently been annexed. A zone change (ZON 2004-59) was approved from SF-5, Single-family Residential District to LC, Limited Commercial District. The site is subject to the North Ridge Village Community Unit Plan (DP-280, CUP 2004-50). A CUP Certificate has been submitted identifying the approved CUP and its special conditions for development on this property.

A Petition, 100%, and a Certificate of Petitions have been submitted for water, paving, sewer, drainage and traffic signal improvements. For those reserves being platted for drainage purposes, a Restrictive Covenant has been submitted to allow for the creation of a lot owners' association to provide for the ownership and maintenance of the proposed reserves. In accordance with the CUP, a Cross-lot Circulation Agreement was submitted to assure internal vehicular movement between lots and between the abutting lots to the south. An Access Agreement with the property to the south has also been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days. Publication of the Ordinance should be withheld until the Plat is recorded with the Register of Deeds.

The Notice of CUP Certificate, Certificate of Petition, Restrictive Covenant, Cross-lot Circulation Agreement and Access Agreement will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Ordinance placed on first reading with publication being withheld until the Plat is recorded with the Register of Deeds. Motion carried 7 to 0.

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2004-59)

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RESOLUTION NO. 05-138

Resolution of findings of advisability and Resolution authorizing constructing pavement on VILLAGE PARKWAY, FROM THE WEST LINE OF RIDGE ROAD TO THE EAST LINE OF LOT 5, BLOCK 1 (North of 37th Street North, West of Ridge) 472-84201, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-139

Resolution of findings of advisability and Resolution authorizing constructing a NORTHBOUND TURN LANE ON RIDGE ROAD IN VILLAGE CIRCLE AND A SOUTHBOUND CONTINUOUS RIGHT TURN LANE ON RIDGE ROAD (North of 37th Street North, West of Ridge) 472-84202, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-140

Resolution of findings of advisability and Resolution authorizing constructing a TRAFFIC SIGNAL AT THE INTERSECTION OF RIDGE ROAD AND VILLAGE CIRCLE (North of 37th Street North, West of Ridge) 472-84203, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-141

Resolution of findings of advisability and Resolution authorizing construction of LATERAL 21, MAIN 19, SOUTHWEST INTERCEPTOR SEWER (North of 37th Street North, West of ridge) 468-83977, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-142

Resolution of findings of advisability and Resolution authorizing improving STORM WATER DRAIN NO. 254 (North of 37th Street North, West of Ridge) 468-83978, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-143

Resolution of findings of advisability and Resolution authorizing improving STORM WATER DRAIN NO. 255 (North of 37th Street North, West of Ridge) 468-83979, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

RESOLUTION NO. 05-144

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90061 (North of 37th Street North, West of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

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RESOLUTION NO. 05-145

Resolution of findings of advisability and Resolution authorizing construction of WATER DISTRIBUTION SYSTEM NUMBER 448-90062 (North of 37th Street North, West of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

SUB2004-148

SUB2004-148-PLAT OF THE GATEWAY CENTER SECOND ADDITION, LOCATED ON THE SOUTHEAST CORNER OF 13TH STREET NORTH AND GREENWICH ROAD. (DISTRICT II)

Agenda Report No. 05-0261

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (11-0)

This site, consisting of 12 lots on 28.7 acres, is a replat of The Gateway Center Addition. The replat reflects revised access controls and revised lot sizes. The site is located within Wichita's city limits and is zoned LC, Limited Commercial District. The site is subject to The Gateway Community Unit Plan (CUP/DP-239). A CUP Certificate has been submitted identifying the approved CUP and its special conditions for development.

Municipal services are available to serve the site. For those reserves being platted for drainage purposes, a Restrictive Covenant has been submitted to allow for the creation of a lot owners' association to provide for the ownership and maintenance of the proposed reserves and the private drive.

This Covenant has been recorded with the Register of Deeds.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Notice of Community Unit Plan will be recorded with the Register of Deeds.

Motion --carried

Mayans moved that the documents and plat be approved; and the necessary signatures be authorized.

DED2005-01

DED2005-01-DEDICATION OF ACCESS CONTROL AND DED2005-02-CONTINGENT DEDICATION OF A SIDEWALK AND UTILITY EASEMENT FOR PROPERTY LOCATED EAST OF GREENWICH ROAD AND ON THE SOUTH SIDE OF CENTRAL AVENUE. (DISTRICT II)

Agenda Report 05-0262

MAPC Recommendation: Accept the Dedications. (11-0)

These Dedications are associated with a lot split case (SUB 2003-140). The dedication is for complete access control along Central Avenue, and a contingent dedication of a sidewalk and utility easement for construction and maintenance of public utilities (contingent upon the future widening of Central Avenue).

The Dedications have been reviewed and approved by the Planning Commission.

The Dedications will be recorded with the Register of Deeds.

Motion--carried

Mayans moved that the Dedications be accepted. Motion carried 7 to 0.

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A05-03

**A05-03 S&S LEASING REQUEST TO ANNEX LANDS GENERALLY LOCATED
SOUTHWEST OF THE INTERSECTION OF WEST STREET AND 42ND STREET SOUTH.
(DISTRICT IV)**

Agenda Report No. 05-0263

The City has received a request to annex 5.23 acres of land generally located southwest of the intersection of West Street and 42nd Street South. The annexation area abuts the City of Wichita to the south of the property. The property owner proposes to develop the property for industrial use.

Land Use and Zoning: The proposed annexation consists of 5.23 acres of vacant property zoned "LI" Limited Industrial, annexation will not change the zoning of the property. The properties to the north and south of the proposed annexation are zoned "LI" Limited Industrial and developed for industrial use. Directly west of the proposed annexation lies the Missouri Pacific Railroad and vacant properties zoned "LI" Limited Industrial. To the east of the proposed annexation are properties zoned "LC" Limited Commercial and "SF-20" Single Family. The properties are developed as a warehouse/office and single family manufactured home respectively.

Public Services: The nearest connections to water and sewer service are available east of the property from West Street.

Street System: The subject property currently has access to West Street, a paved two lane County road. Neither the City of Wichita Capital Improvement Program 2004-2013 draft, Sedgwick County Transportation Improvement Program 2004-2008, or the Sedgwick County Capital Improvement Program 2004-2008 call for improvements to Meridian near the proposed annexation.

Public Safety: Fire services to this site can be provided by the City of Wichita within a four (4) to five (5) minute approximate response time from City Station No. 12 located at 3443 S. Meridian. Upon annexation, police protection will be provided to the area by the Patrol West Bureau of the Wichita Police Department, headquartered at 661 N. Elder.

Parks: South Lakes Park, a 150-acre park, is located approximately two miles southeast of the proposed annexation site. A pathway is proposed along the Big Ditch, approximately a quarter of a mile to the west of the proposed annexation area, in the 1996 Parks and Open Space Master Plan.

School District: The annexation property is part of the Unified School District 261 (Haysville School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with current amendments to the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2010 Wichita Urban Service Area as shown in the Plan.

The current approximate appraised value of the proposed annexation lands, according to County records, is \$17,600 with a total assessed value of \$4,400. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$138 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property, and the current mill levy. Although the property owner has disclosed an intention to develop the proposed annexation area for industrial use, no final estimates of total value after development are currently available.

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The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--
--carried

Mayans moved that the annexation request be approved and the Ordinance placed on first reading.
Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. (A-05-03)

RECESS

EXECUTIVE SESSION

Motion--

--carried

Mayans moved that the City Council recess into Executive Session at 11:30 a.m. to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to: pending litigation, potential litigation and legal advice and that the Council return from Executive Session no earlier than 12:00 p.m. and reconvene in the first floor boardroom of City Hall.
Motion carried 7 to 0.

RECONVENE

The Council reconvened in the first floor boardroom of City Hall at 12:02 p.m. Mayor Mayans stated that no action was taken.

Motion-carried

Mayans moved at 12:02 p.m. to close the Executive Session. Motion carried 7 to 0.

Motion--carried

Mayans moved at 12:03 p.m. to close the regular meeting. Motion carried 7 to 0.

Adjournment

The City Council meeting adjourned at 12:03 p.m.

Respectfully submitted,

Karen Sublett
City Clerk

Workshop followed